

Reply To
Attn. Of: HW-112

JUL 24 1990

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Ed Ryf, Plant Manager
Pacific Wood Treating Corporation
111 West Division Street
P.O. Box 518
Ridgefield, WA 98642

Re: EPA/Ecology ID. No. WAD00942411

Dear Mr. Ryf:

This letter brings to Pacific Wood Treating Corporation's (PWT) attention the regulatory responsibilities of facilities that previously closed interim status surface impoundments, landfills, waste piles or land treatment units under the 40 CFR Part 265 standards. Section 3005(i) of the Hazardous and Solid Waste Amendments of 1984 (HSWA) requires that all landfills, surface impoundments, waste piles, and land treatment units that received waste after July 26, 1982, comply with the 40 CFR Part 264 standards applicable to new units. The Environmental Protection Agency (EPA) implemented this mandate in the December 1, 1987, Codification rule by amending 40 CFR §270.1(c). The amendment requires post-closure permits for all land disposal units which received hazardous waste after July 26, 1982, or certified closure after January 26, 1983. However, facilities that demonstrate compliance with the 40 CFR Part 264 closure by removal standards are exempt from this requirement. To meet this provision EPA must review the closure of PWT's hazardous waste (EPA hazardous waste codes D004 and K001) ash pile.

Regulations at 40 CFR §270.1(c)(5) allow the owner/operator the option of either obtaining a post-closure permit or demonstrating that the unit has been closed in accordance with the 40 CFR Part 264 requirements by submitting an "equivalency demonstration." The equivalency demonstration process is outside the Part B post-closure permit application and review process. In an August 8, 1984, response to a Department of Ecology order, PWT outlined the closure procedures they had undertaken for the ash pile at PWT. This closure information is insufficient to enable EPA to make the required equivalency determination. If PWT chooses to make an equivalency demonstration, PWT must submit all of the information necessary for EPA to determine whether the waste pile was closed in a manner equivalent to the 40 CFR Part 264 closure by removal standards. To achieve these standards, PWT may perform additional closure activities as necessary. However, if upon final review EPA determines that the closure of the waste pile does not meet 40 CFR Part 264 standards, the owner/operator will be required to submit a Part B permit application for post-closure of the waste pile as a landfill.



EPA requests that PWT notify the Agency in writing within 30 days of receipt of this letter as to whether PWT intends to make an equivalency demonstration or obtain a post-closure permit for the waste pile. Upon receipt of the notification, EPA will provide PWT with the appropriate guidance and a schedule for submittals. In the interim, please contact David Croxton at (206) 442-8582 to discuss Resource Conservation and Recovery Act activities at PWT.

Sincerely,

Michael F. Gearheard, Chief
Waste Management Branch

cc: P. Sonnenfeld, Washington Department of Ecology-SWRO
J. Boller, Washington Operations Office